IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

ECEIPT LLC,	)
	)
Plaintiff,	)
	) Civil Action No. _____
v.	)
	) **JURY TRIAL DEMANDED**
SQUARE, INC.,	)
	)
Defendant.	)
	)

COMPLAINT

For its Complaint, Plaintiff eCeipt LLC ("eCeipt"), by and through the undersigned counsel, alleges as follows:

THE PARTIES

1.   eCeipt is a Texas limited liability company with a place of business located at 1400 Preston Road, Suite 400, Plano, Texas 75093.

2.   Defendant Square, Inc. is a Delaware corporation with, upon information and belief, a place of business located at 1455 Market Street, Suite 600, San Francisco, California 94103.

3.   Upon information and belief, Defendant has registered with the Texas Secretary of State to conduct business in Texas.

JURISDICTION AND VENUE

4.   This action arises under the Patent Act, 35 U.S.C. § 1 *et seq.*

5.   Subject matter jurisdiction is proper in this Court under 28 U.S.C. §§ 1331 and 1338.

6.   Upon information and belief, Defendant conducts substantial business in this forum, directly or through intermediaries, including: (i) at least a portion of the infringements alleged herein; and (ii) regularly doing or soliciting business, engaging in other persistent courses of conduct and/or deriving substantial revenue from goods and services provided to individuals in this district.

7.   Venue is proper in this district pursuant to §§ 1391(b), (c) and 1400(b).

THE PATENT-IN-SUIT

8.   On February 4, 2014, United States Patent No. 8,643,875 (the "'875 patent"), entitled "Receipt Handling Systems, Print Drivers And Methods Thereof," was duly and lawfully issued by the U.S. Patent and Trademark Office. A true and correct copy of the '875 patent is attached hereto as Exhibit A.

9.   eCeipt is the assignee and owner of the right, title and interest in and to the '875 patent, including the right to assert all causes of action arising under said patents and the right to any remedies for infringement of them.

COUNT I – INFRINGEMENT OF U.S. PATENT NO. 8,643,875

10.   eCeipt repeats and realleges the allegations of paragraphs 1 through 9 as if fully set forth herein.

11.   Without license or authorization and in violation of 35 U.S.C. § 271(a), Defendant has infringed and continues to infringe the '875 patent by making, using, importing, offering for sale, and/or selling computer implemented methods for processing receipts that obtain transaction data from a point-of-sale (POS) computer system at a store location, the transaction data including a plurality of categories of information necessary to describe a purchasing transaction of a customer at the store location; obtain image data from the POS system at a store

location, the image data representing a receipt corresponding to the purchasing transaction of the customer at the store location; obtain an e-mail address of the customer from a customer information database persistently associated with the POS system; provide, to a display device at the store location, an option to print the receipt at the store location and an option to e-mail the receipt to the customer; obtains a selection of at least one of the provided options; if the option to print is selected, initiates printing of the image data at the store location; and if the option to e-mail is selected, e-mail the receipt to the customer, including: providing the e-mail address obtained from the customer information database to a display device at the store location; obtaining customer confirmation whether the e-mail address is correct; if the e-mail address is not correct, obtaining a corrected e-mail address of the customer; transmitting the image data and the transaction data to a server in communication with one or more POS systems at one or more store locations, including generating a data file, the data file including the transaction data, the correct e-mail address of the customer and a file name corresponding to the image data; assigning an e-mail template based on the data file transmitted to the server; and sending an e-mail to the correct customer e-mail address, wherein the content of the email is based on the assigned e-mail template, where the e-mail provides the image data obtained by the server.

12.   eCeipt is entitled to recover from Defendant the damages sustained by eCeipt as a result of Defendant's infringement of the '875 patent in an amount subject to proof at trial, which, by law, cannot be less than a reasonable royalty, together with interest and costs as fixed by this Court under 35 U.S.C. § 284.

JURY DEMAND

eCeipt hereby demands a trial by jury on all issues so triable.

PRAYER FOR RELIEF

WHEREFORE, eCeipt requests that this Court enter judgment against Defendant as follows:

A.   An adjudication that Defendant has infringed the '875 patent;

B.   An award of damages to be paid by Defendant adequate to compensate eCeipt for Defendant's past infringement of the '875 patent and any continuing or future infringement through the date such judgment is entered, including interest, costs, expenses and an accounting of all infringing acts including, but not limited to, those acts not presented at trial;

C.   A declaration that this case is exceptional under 35 U.S.C. § 285, and an award of eCeipt's reasonable attorneys' fees; and

D.   An award to eCeipt of such further relief at law or in equity as the Court deems just and proper.

Dated: November 30, 2015   */s/Andrew W. Spangler*
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